

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:18-cr-296-DPM

STORMY LYNN REINSIMAR

DEFENDANT

ORDER

1. Reinsimar moves again for immediate release under 18 U.S.C. § 3582(c)(1)(A)(i) based on the ongoing COVID-19 pandemic and the risk it presents to his health. *Doc. 57*. Exhaustion is murky. Reinsimar says he submitted a compassionate release request and didn't get a timely response. His papers, though, show that a regional appeal was rejected for various procedural reasons. *Doc. 57 at 4*.

2. It's unnecessary to get clarity on the exhaustion issues, though, because even if Reinsimar has exhausted his administrative remedies, his motion fails on the merits. Reinsimar has a history of chronic bronchitis, among other ailments. He's already struggled with the virus while in the Bureau of Prisons. His concerns about catching it again are genuine. But Reinsimar has served just one-third of his eighteen-month consecutive sentence; and that sentence was a nine-month variance from his advisory Guidelines range. Reducing his sentence by another eleven months would not promote respect for the

law, provide just punishment, reflect the seriousness of his offense, or adequately deter Reinsimar and others from possessing weapons in prison. All material things considered, the statute's remedy – reducing his sentence to time served – is not appropriate in this case. 18 U.S.C. §§ 3582(c)(1)(A)(i) & 3553(a). His motion, *Doc. 57*, is therefore denied.

So Ordered.

*D.P. Marshall Jr.*  
D.P. Marshall Jr.  
United States District Judge

*13 January 2021*